

Brief Explanation of Exemptions

Code	Statutory Authority	Brief Explanation of Redacted or Withheld Information or Records
1 - Financial Records		
1A	RCW 39.26.030(2)	Competitive bids subject to chapter 42.56 RCW except exempt from disclosure until apparent successful bidder announced
1B	RCW 42.56.070(1) 26 US Code § 6103 (a);	Tax and return information is confidential and privileged and may not be disclosed.
1C	RCW 42.56.070(1) 42 USC § 405(c)(2)(C)(viii)(I);	Social security account numbers and related records (tax ID numbers) that are obtained or maintained by authorized persons under law are confidential and no authorized person shall disclose any social security account number or related record (tax ID numbers)
1D	RCW 42.56.230(4)	Certain taxpayer information if it would violate taxpayers right of privacy
1E	RCW 42.56.230(5)	Credit card numbers, debit card numbers, electronic check numbers, card expiration dates, bank or other financial information. Including account numbers, transactional information, codes, passwords, or tax ID numbers.
1F	RCW 42.56.270(10)	Financial information supplied for application for liquor, gambling, lottery, or various marijuana licenses
1G	RCW 50.13.060(9); RCW 42.56.070(1)	Employment Security Department records obtained by the Department for official purposes are confidential and shall not be disclosed.
2 - Law Enforcement/Criminal Records		
2A	RCW 42.56.070(1) 28 CFR § 50.12(b);	Background checks conducted by the Federal Bureau of Investigation may only be used for the specific purposes permitted by law and may not be further disclosed.
2B	RCW 10.97.050; RCW 42.56.070(1)	Nonconviction information on criminal history records may only be disseminated as provided in the Washington State Criminal Records Privacy Act.
2C	RCW 36.28A.060(8)	Tactical and intelligence information provided to the Washington Association of Sheriffs and Police Chiefs
2D	RCW 42.56.070(1) 42 CFR § 488.325;	Surveyor or complaint investigator working papers are exempt from disclosure under the public records act.
2E	RCW 42.56.230(7)(c)	Records pertaining to license plates, drivers' licenses, or identicards that may reveal that a person was performing undercover law enforcement, confidential public health work, public assistance fraud, or child support investigations
2F	RCW 42.56.240(1)	Specific intelligence information and specific investigative records compiled in ongoing investigations by investigative, law enforcement, penology agencies, and state agencies vested with responsibility to discipline members of a profession, when nondisclosure is essential to effective law enforcement or to protect any person's right to privacy.

2G	RCW 42.56.240(13)	Criminal justice agency employee/worker residence GPS data
2H	RCW 42.56.240(14)	Body worn camera recordings made by law enforcement or corrections officers to the extent essential for right to privacy described in RCW 42.56.040
2I	RCW 42.56.240(2)	Information that reveals the identity of persons who are witnesses of or victims of crime or who file complaints with investigative agencies if disclosure would endanger an person's life, physical safety or property or if the witness or victim indicates a desire for nondisclosure.
2J	RCW 42.56.600	Records of mediation communications that are privileged under RCW 7.07.
2K	RCW 9.73.230(2)(b)	Name of confidential informants in written report on wire tapping
3 - Data/Security		
3A	RCW 42.56.270(1)	Valuable formulae, designs, drawing, computer source code or object code and research data obtained by an agency within five years of the records request if disclosure would produce private gain and public loss.
3B	RCW 42.56.420(2)	Records containing specific and unique vulnerability assessments and emergency and escape response plans a city, county, or state adult or juvenile correctional facility, or secure facility for persons civilly confined.
3C	RCW 42.56.420(4)	Information regarding the infrastructure and security of computer and telecommunication networks, consisting of security passwords, and security access codes on public and private computers.
3D	RCW 42.56.420(6)	Personally identifiable information of employees and other security information, of a private cloud service provider that has entered into a criminal justice information services agreement
3E	RCW 42.56.240(7)	Data from electronic sales tracking system in RCW 69.43.165
3F	21.20.855	Reports and information from securities examinations - Securities Act
4 - Attorney/Client		
4A	RCW 42.56.290	Drafts, notes, memoranda, or research reflecting the opinions or mental impressions of an attorney or attorney's agent prepared, collected, or assembled in litigation or in anticipation of litigation
4B	RCW 42.56.290	Notes, memoranda, statements, records revealing factual or investigative information prepared, collected, or assembled in litigation or in anticipation of litigation.
4C	RCW 42.56.290	Communication between attorney and client revealing opinions or mental impressions of attorney, or information prepared, collected, or assembled in litigation or in anticipation of litigation
4D	RCW 42.56.290	Communication among attorneys revealing opinions or mental impressions of attorney, or information prepared, collected, or assembled in litigation or in anticipation of litigation.

4E	RCW 5.60.060(2)(a); RCW 42.56.070(1)	Information that reflects attorney/client privileged communication from client to attorney to obtain legal advice.
4F	RCW 5.60.060(2)(a); RCW 42.56.070(1)	Information reflecting attorney/client privileged communication from attorney to client for the purpose of providing legal advice.
4G	RCW 5.60.060(2)(a); RCW 42.56.070(1)	Communication between attorney and client about litigation.
4H	RCW 5.60.060(2)(a); RCW 42.56.070(1)	Communication among attorneys reflecting attorney/client communications about litigation.
4I	RCW 5.60.060(2)(a); RCW 42.56.070(1)	Attorney/client privileged communication between attorney and client about litigation.
5 - Employee/Employment		
5A	RCW 42.56.010(3)	Records held by volunteers who (a) do not serve in an administrative capacity; (b) have not been appointed by the agency to an agency board, commission, or internship; and (c) do not have a supervisory role or delegated agency authority.
5B	RCW 42.56.230(3)	Personal information in files maintained for employees and appointees of any public agency to the extent that disclosure would violate their privacy.
5C	RCW 42.56.240(11)	Information that reveals the identity of a state employee who has in good faith filed a complaint with an ethics board or reported improper government action.
5D	RCW 42.56.250(1)	Test questions, scoring keys, interview questions, and other types of examinations used for employment or licensing examinations
5E	RCW 42.56.250(10)	The global positioning system data that would indicate the location of the residence of a public employee or volunteer using the global positioning system recording device.
5F	RCW 42.56.250(2)	Names of applicants for public employment and applications, résumés, and other materials submitted by an applicant for public employment.
5G	RCW 42.56.250(4)	Information for agency employees, volunteers, or independent provider home care workers held in personnel and public employment related records including: Residential or personal addresses, telephone and cellphone numbers, and email addresses; Social security, driver's license or identicard numbers; Emergency contact information
5H	RCW 42.56.250(4)	Names, dates of birth, residential addresses, personal cell phones and email addresses, social security numbers and emergency contact information of dependents of employees or volunteers of a public agency.
5I	RCW 42.56.250(5)	Identifying information of an agency employee who seeks advice in connection with a possible unfair discrimination action and requests identity not be disclosed
5J	RCW 42.56.250(6)	Investigative records compiled by the Department conducting an active and ongoing investigation of a possible unfair or unlawful employment discrimination action.

5K	RCW 42.56.250(9)	Photographs and month and year of birth in personnel files of employees and workers of criminal justice agency.
5L	Wash. Const. Art. I, § 7	The employee date of birth is redacted because, per Wash. Public Employees Assoc. v. Center for Childhood Deafness & Hearing Loss, WA COA No. 49224-5-II, state employees have a constitutionally protected expectation of privacy in their full names associated with their corresponding birthdates under Wash. Const. Art. I, § 7.
6 - Buisness		
6A	RCW 4.92.210(6); RCW 42.56.070(1)	Reserves shall be established for recognizing financial liability and monitoring effectiveness. The valuation of specific claims against the state shall be privileged and confidential.
6B	RCW 42.56.270(1)	Valuable formulae, designs, drawings and research obtained by agency within 5 years of request for disclosure if disclosure would produce private gain and public loss
6C	RCW 42.56.270(19)	Information that can be identified to a particular business that was gathered as part of agency rule making
6D	RCW 42.56.280	Preliminary drafts, notes, recommendation, and intra-agency communications in which opinions are expressed or policies formulated or recommended are exempt.
7 - Customer		
7A	RCW 42.56.270(21)	Market share data submitted by a manufacturer under RCW 70.95N.190(4)
7B	RCW 42.56.330(2)	Phone numbers, electronic contact information, customer-specific usage in billing information in increments less than a billing cycle, in public utility records
7C	RCW 46.12.635(1); RCW 42.56.070(1)	The name or address of an individual vehicle or vessel owner obtained from the Department of Licensing (DOL) shall not be released by any agency authorized by DOL to receive such information.
7D	RCW 46.20.118	Photos on drivers' licenses and identicards
8 - Medical/Child		
8A	ESHB 2700 Laws of 2018, ch. 171, §§ 4, 7	Audio and video recordings of child forensic interviews are exempt from disclosure under the Public Records Act.
8B	RCW 13.50.100(7)(c)	Names and identifying information of persons or organizations who have reported alleged child abuse or neglect.
8C	RCW 40.26.020(5) [HB 1493, HB 1717, HB 2213]	Biometric identifiers may not be disclosed under the Public Records Act.
8D	RCW 42.56.070(1) 45 CFR §164.502;	Individually identifiable health information of individuals is confidential and may only be disclosed to the individual, or with authorization.

8E	RCW 42.56.070(1) & (2) 42 U.S. Code § 653;	Information in the Federal Parent Locator Service, including information in the National Directory of New Hires (NDNH), shall not be used or disclosed except as permitted by law.
8F	RCW 42.56.240(18) c 171 s 7	Audio and video recordings of child interviews regarding child abuse or neglect
8G	RCW 51.28.070; RCW 42.56.070(1)	Information contained in the claim files and records of injured workers.
8H	RCW 7.69A.030(4)	Name, address, or photograph of child victim or child witness
9 - Other		
9A	RCW 40.14.030(2)	Records transferred to state archives
9B	RCW 42.56.070(1) EHB 2097 Laws of 2018, ch. 303, § 7;	All records that relate to or contain personally identifying information about an individual's religious beliefs, practices, or affiliation are exempt from disclosure.
9C	RCW 42.56.235 - c 303 s 7	Personal identifying information about an individual's religious beliefs
9D	RCW 42.56.400(3)	Names of owners and insureds of life insurance policies

Last up date

October 8, 2018